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THE OBSERVATOR.

Farther Remarks on the Great Deficiency of our Troops in Spain *and* Portugal *laſt Year: With an Account of the Puniſhments enjoin'd by our Laws upon ſuch as cheat the Government of their Men, or the Soldiers of their Pay. On the Addreſs of the Lords againſt Commodore* Kerr.

From Wednesday, February 11. to Saturday, February 14. 1708.

Obſ. HA'ST any News yet, *Roger*, how it came to paſs, that our Troops in *Spain* and *Portugal* fell ſo far ſhort laſt Year of the Number which the Parliament appointed, and the Nation pay'd for?

Country-m. Not I, Maſter; but the Houſe of Commons, you may ſee by their Votes, is in a litlet Time to take into farther Conſideration, the State of the War with *Spain*; and then I hope we ſhall hear more of it.

Obſ. Then prithee, *Roger*, ſpeak to thy Repreſentatives to enquire throughly into that Matter. If thoſe 20000 Men and above, who were wanting, be turn'd into Faggots, (as Soldiers are call'd, whom Officers put in their Pockets) they are enough to rekindle *Smithfield* Fires among us: For if the Nation be thus cheated of their Money and Men, the Queen muſt be diſabl'd either to aſſiſt her Allies, or to defend herſelf, and her Subjects, againſt the *French* King, and the *St. Germains* Pretender.

Country-m. What would you have me ſay to my Repreſentatives, Maſter?

Obſ. Say to them, Man! Why we find, that on many leſs Occaſions, they ſend for Perſons, Papers, and Records. Are there no Secretaries of State, Secretaries of War, Pay-maſters of the Army, Generals, Ambaſſadors, or Envoys, that can give us Light into that Matter?

Country-m. No Doubt on't, Maſter; you ſee the Lords and Commons too have the Earl of *Peterborough*'s Papers before them, and may call for what other Papers are to be had; for our moſt gracious Queen refuſes nothing.

Obſ. Then tell thy Repreſentatives, *Roger*, that if they don't peruſe thoſe Papers carefully, and ask proper Queſtions upon them, that they ſhall never have thy Vote again; and that thou wil't ſpeak to all thy honeſt Neighbours, when thou ſee'ſt them at Church and Market, to ſend their Repreſentatives the like Word. In my Opinion, *Roger*, beſides what the Earl of *Peterborough* ſays in his Papers, there's enough ſaid in Mr. *Friend*'s printed Book, concerning his Lordſhip's Conduct in *Catalonia*, *Valencia*, &c. to furniſh pat Queſtions.

Country-m. What then, Maſter?

Obſ. Then, *Roger!* Thou talk'ſt according to thy Country Underſtanding. You muſt know, Man, that Perſons of his Lordſhip's Rank and Honour, ſtand upon Points and Niceties. To become what the World calls Informers, they think below their Quality. But if either Houſe think fit to ask them Queſtions, that ſame Honour which obliges them otherwiſe to keep Silence, will then oblige them to ſpeak the Truth, nothing but the Truth, and all the Truth, eſpecially in a Caſe like this, where the Honour and Safety of the Queen and Nation, and of all our Allies, are concern'd.

Country-m. Well, Maſter, I will tell my Repreſentatives what you ſay.

Obſ. Prithee do, Man; for it's their proper Concern, to enquire into thoſe Things; they are the Repreſentatives and Guardians of the Kingdom: And, according to our old Conſtitution, the Soldiery were accounted the Servants of the Nation, as well as of the Prince: And therefore, by the Laws of *Henry* the II. *&c.* they were ſworn, *ad fidem Domini Regis, & Regni ſui*, to be faithful to the King and the Kingdom, which is the true and juſt Notion of Loyalty; tho' in the Times of arbitrary Power, it was confin'd to a ſlaviſh Submiſſion, to the Will of the Prince, tho' without or againſt Law. Therefore, ſince the Deficiency of above 20000 Men, appointed and pay'd for by Parliament, is a direct Breach of that Loyalty which is due to the Queen and Kingdom, and by Conſequence Treaſon againſt both, 'tis the Duty of our Repreſentatives to enquire into it, and to ſee thoſe who have occaſion'd it, puniſh'd according to Merit.

Country-m. You ſay very well, Maſter; but we are ſo divided into Factions, that Juſtice can ſcarce find Room among us: For let a Grievance be never ſo palpable or univerſal, if the Tories enquire into it, the Whigs will oppoſe it; and if the Whigs enquire into it, the Tories will oppoſe it; and each of 'em, according as their Intereſt lies, are ready to charge the Endeavours of the other for redreſſing of publick Grievances, as the Effect of Pique and Party Quarrels.

Obſ. That has always been the Artifice of Leaders of Factions, *Roger*; therefore I heartily wiſh our Legiſlature would make a Law to forbid thoſe Names of Reproach and Diſtinction, under ſuitable Penalties. It was Diſtinctions much of the ſame Nature, which ſubverted the Liberties of the *Roman* Government: *Pompey* ſet up as the Head of the Whig Faction, and the Patron of the Senate; and *Julius Cæſar* ſet up as the Head of the Tory Faction, and the Patron of the Army; yet there was not a Pin to chuſe betwixt them, as to the Point of Probity and Vertue, or Love to their Country; for *Pompey*, the Whig, is noted by the *Roman* Hiſtorians to have been as great a Tyrant in his Nature, as the other; he was the firſt who ſet up that unhappy Triumvirate, which ruin'd the Government, and is branded with this Mark of Infamy, that he was *Juarum Legum Auctor & Everſor*, the chief Man who broke the Laws that he made himſelf: Much of the ſame Temper with ſome of the Leaders of Factions in our own Time, who change their Principles and Meaſures juſt as they find it neceſſary to keep up their Party.

Country-m. That's too true, Maſter; but in this Matter, methinks there ſhould be no Party; here's a manifeſt Injury done the Nation, which affects every Man, Whig or Tory, that pays Taxes, and endangers the Safety of every individual Perſon of the Iſland, by giving the *French* King an Opportunity to confirm the Houſe of *Bourbon* in Poſſeſſion of the *Spaniſh* Dominions, and forcing the *St. Germains* Pretender upon us.

Obſ. Since both Queen and Parliament have ſo lately, and ſo expreſsly declar'd, *Roger*, *That no Peace can be honourable or ſafe for us or our Allies, if* Spain, *the* Weſt-Indies, *or any part of the* Spaniſh *Monarchy be ſuffer'd to remain under the Houſe of* Bourbon; whoever are concern'd in this fatal Deficiency of our Troops, muſt, by neceſſary Conſequence, be Traytors of the firſt Rank: And whatever Perſon or Party bargains to prevent an Enquiry into this horrid Piece of Treachery, is juſtly entitl'd to a Share of the Guilt and Puniſhment; and by Conſequence, to be hated of the whole *Britiſh* Nation, and Confederacy.

Country-m.

Country-m. I am altogether of your Mind, Maſter; for if, according to the Addreſs of our noble Patriots, the Lords, of the 19th of *December* laſt, *Such of our Allies as have hitherto fail'd in their Parts, have not acted as thoſe who have a real Concern for reſtoring and ſecuring Peace and Liberty to* Europe; certainly, by ſtronger Reaſon, thoſe who have been any way acceſſary to this intollerable Deficiency of our Troops in *Spain* and *Portugal*, have acted as if they were againſt reſtoring and ſecuring that Peace and Liberty; and therefore ought to be found out, and puniſh'd: For one Traytor at Home, is more dangerous than twenty Enemies Abroad.

Obſ. There's another Thing to be taken Care of, *Roger*, as to our Land-Forces, *viz.* That they be well us'd by their Officers; for they can never be kept in good Diſcipline, or fight with Courage, if they be robb'd of their Pay, or treated with Contempt, as if they were not of the ſame Human Race with their Commanders. Such Officers as gain the Love of their Soldiers, always perform the braveſt Exploits, and can never be in Want of Men, if the Country afford them. But our Difficulty of levying Recruits, and our being oblig'd to that ungrateful Method of preſſing Sea-men, is too plain a Proof of the frequent Complaints againſt Officers, both by Sea and Land, that they don't uſe their Men well.

Country-m. What Proviſion have our Laws made to prevent our Soldiers being cheated of their Pay, Maſter? Or the Government of their Soldiers?

Obſ. Our Laws have made very good Proviſion on that Head, *Roger*. By the 18th of *Hen. 6.* Cap. 18. the Captains are not to abate the Soldiers Wages, but for their Cloathing, on Pain of a Fine to the King, *viz.* of 20 *l.* for every Spear, and 10 *l.* for every Bow. And to prevent Officers demanding more Money than is due for the Soldiers they have in Pay, they are oblig'd, by the 2d of *Edw. 6.* Cap. 2. to write down the Day every Man enters, and the Day of his Death, or Departure from the Service; and to deliver the ſame to the Treaſurer or Muſter-Maſter, on Pain of 5 *l.* for every Offence, a Months Impriſonment, and the Loſs of their Commiſſion. And for the better Diſcovery of ſuch Abuſes, the Soldiers who diſcover the ſame to the Lieutenant, *&c.* are to have a Months Pay, to be pay'd them on the Account of the Offender, by the Treaſurer of the Army.

Country-m. Had theſe Laws been put in Execution, Maſter, that fatal Deficiency of our Troops in *Spain* and *Portugal*, might have been prevented. In my Country Opinion, thoſe who ſhall be found to have had any Hand in it, ought to be oblig'd to pay thoſe Penalties, towards carrying on the War.

Obſ. You propoſe well, *Roger*. The ill Conſequences of ſuch Cheats, cannot be better expreſs'd, than they are in 18 *Hen. 6.* 18. *viz. That ſuch Soldiers, from whom the Captains have abated their Wages, have not been able to continue their Service, nor perform the ſame, as of Right and Reaſon they ought to have done, and peradventure were willing to have done, if they had been fully pay'd; which has caus'd them to fall to Robbery and Pillage; and among other Things, it has been a great Cauſe of the long Continuance of the War, and great Damage and Loſs to the King's Dominions; and not only that, but Loſs alſo of great Treaſure which hath been granted to the King, and pay'd in the Form aforeſaid, for the Defence of his Land.*

Country-m. Is there no Penalty upon Muſter-Maſters, who fail of their Duty, Maſter?

Obſ. Yes, *Roger*. Thoſe who are charg'd with Care of the Muſters, by the 4th and 5th of *Philip* and *Mary*, Cap. 3. are to forfeit ten times ſo much as they receive, exact, or take for conniving at falſe Muſters; and by that ſame Act, Captains are to pay ten times the Value of what they detain of the Soldiers Pay.

Country-m. I hope, Maſter, our Parliament will take Care of having Offences of that Nature, more effectually enquir'd into, and puniſh'd, than hitherto they have been by ſome Councils of War, where many Times the Judges are too much guilty of the ſame Offences, to do Right to the Plantiff, or Juſtice upon the Defendant.

Obſ. That muſt be with Submiſſion to our Superiors, *Roger*: But pray what do you hear of our Miſmanagements and Loſſes by Sea? Is that Matter forgot?

Country-m. No, Maſter; our noble Patriots, the Lords, have preſented an Addreſs to her Majeſty of the 7th Inſtant, againſt Commodore *Kerr*, upon Proof againſt him, by ſeveral *Jamaica* Merchants, that he was offer'd 600 *l.* to ſend a Man of War to convoy the *Neptune* Sloop, and *Martha* Galley, with Woollen and other Goods, which the Commodore ſeem'd to be well pleas'd with, but afterwards inſiſted on 2000 or 1500 *l.* which the Merchant concern'd, ſaid, the Trade would not bear, and ſo ſent his Ship forward without Convoy; and the Sloop in her Return with great Wealth, and no Convoy, was unhappily overſet, by crowding too much Sail to get away from the Enemy; and that the ſaid Merchant did alſo give the Commodore 400 *l.* and an Adventure of 1500 *l.* without advancing any Money, beſides 400 *l.* to the Captain of the *Experiment*, to convoy three other Sloops. And their Lordſhips add, that upon examining theſe Complaints, they find divers corrupt and unjuſtifiable Practices of the like Kind, have been too frequent in the Fleet; that nothing can be of more pernicious Conſequence, than ſuffering ſuch Abuſes to go unpuniſh'd; and therefore pray her Majeſty to give effectual Orders to prevent the like, to the Oppreſſion of the Merchants, who, at this Time, lie under many heavy Diſcouragments. Her Majeſty has agreed to this, Maſter, ſo that I ho peſuch Practices will be prevented for Time to come.

Obſ. God bleſs her Majeſty and the Parliament, *Roger*; all our Hopes, under God, muſt centre in them. 'Tis hard indeed, that the Nation muſt pay our Fleet for guarding our Coaſts and Trade, and that our Merchants muſt pay ſuch exorbitant Sums too, or otherwiſe loſe their Ships. But of this, more in our next, *Roger*.

Advertiſements.

This Day is publiſh'd,

The right way of Trying Prophets: Or, ſome Conſiderations and Reaſons to Prove the Truth of the great Diſpenſation of Divine Providence; already begun by Prophetic Inſpiration: To wit, The ſudden Appearance of the Kingdom of Chriſt upon Earth, by the wonderful Effuſion of the Holy Ghoſt. By F. M. one of the Sect of thoſe call'd Prophets. To which is added, an anſwer thereunto, Paragraph by Paragraph, together with ſome Remarks on the Knowledge of the Devil in Contingent Futurities, and Natural Philoſophy; as deliver'd in a Sermon, Novemb. 9. 1707. By G. Philadelphus. Sold by B. Bragg at the Black Raven in Pater-Noſter-Row.

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*** Your old Phyſician Dr. *Caſe*, deſires you not to forget him, who cures all Venereal Diſeaſes, or the Grand P—, with all its attending Symptoms, very cheap, pleaſant, and no Neglect of Buſineſs, in few Days, at *Lilly's Head*, over againſt *Ludgate Church*, within *Black-Fryars* Gate-way.

20 JY 63

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